

REMARKS

In the July 20, 2005 Office Action, claims 8, 10-12, 14, and 16-19 stand rejected in view of prior art. Claims 1-7 also were rejected for failing to indicate and to claim particularly and distinctly the subject matter that Applicants regard as the invention. Further, it was indicated that claims 1-7, 9, 13, 15, and 20 contain allowable subject matter. No other objections or rejections were made in the Office Action.

***Status of Claims and Amendments***

In response to the July 20, 2005 Office Action, Applicants have amended claim 1 as indicated above, respectfully traverse the prior art rejections, and have included comments to support the traversal. Thus, claims 1-20 are pending, with claims 1, 8, and 14 being the only independent claims. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

***Claim Rejections - 35 U.S.C. §112***

On page 2 of the Office Action, claims 1-7 were rejected under 35 U.S.C. §112, second paragraph. In response, Applicants have amended claim 1 to clarify claims 1-7.

Specifically, claim 1 has been amended to recite that the sliding portion is mounted to extend over an outer side of the spring and to extend in the compression direction. Further, claim 1 has been amended to replace "said" with -- the --.

Applicants believe that the claims now comply with 35 U.S.C. §112, second paragraph. Withdrawal of the rejections is respectfully requested.

***Rejections - 35 U.S.C. § 103***

On page 3-5 of the Office Action, claims 8, 10-12, 14, and 16-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,899,617 (Kobayashi et al.) in view of U.S. Patent No. 6,461,243 (Uehara). In response, Applicants respectfully traverse the rejections thereto and have included the following comments to support the traversal.

Applicants respectfully assert that one of ordinary skill in the art would not be motivated to combine the teachings of Kobayashi et al. and Uehara to produce the spring assemblies recited in claims 8 and 14 because Kobayashi et al. teach away from the use of a float. Specifically, as seen in Figures 1, 4, and 5 and referring to column 3, lines 4-7 of Kobayashi et al., Kobayashi et al. disclose spring seats 14 and 15 with elastic members 14a and 15a that are provided for stop control as the seats 14 and 15 converge. Further, referring to column 3, lines 23-26 of Kobayashi et al., Kobayashi et al. disclose that the elastic portions 14a and 15a are designed to contact each other. Applicants respectfully assert that if the spring assembly of Kobayashi et al. were to be combined with the float of Uehara, the elastic portions 14a and 15a would not be able to contact each other, and thus, would not be able to function as designed. In short, such a modification would destroy the teaching of Kobayashi et al.

Clearly the arrangements recited in claims 8 and 14 are ***not*** disclosed or suggested by the Kobayashi et al. patent, Uehara patent, or any other prior art of record. It is well settled in U.S. patent law that the mere fact that the prior art can be modified does ***not*** make the modification obvious, unless the prior art ***suggests*** the desirability of the modification. Accordingly, the prior art of record lacks any suggestion or expectation of success for combining the patents to create the Applicants' unique arrangement of a spring assembly.

Moreover, Applicants believe that dependent claims 10-12 and 16-19 are also allowable over the prior art of record in that they depend from independent claims 8 and 14, and therefore are allowable for the reasons stated above. Also, the dependent claims are further allowable because they include additional limitations. Thus, Applicants believe that since the prior art of record does not disclose or suggest the invention as set forth in independent claims 8 and 14, the prior art of record also fails to disclose or suggest the inventions as set forth in the dependent claims.

Therefore, Applicants respectfully request that this rejection be withdrawn in view of the above comments and amendments.

***Allowable Subject Matter***

On page 5 of the Office Action, claims 1-7, 9, 13, 15, and 20 were indicated as containing allowable subject matter. Applicants wish to thank the Examiner for this indication of allowable subject matter and the thorough examination of this application. In response, Applicants have amended claim 1 to overcome the indefiniteness rejection, and have traversed the rejections of claims 8 and 14.

***Prior Art Citation***

In the Office Action, an additional prior art reference was made of record. Applicants believe that these references do not render the claimed invention obvious.

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In view of the foregoing amendment and comments, Applicants respectfully assert that claims 1-20 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

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Respectfully submitted,



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